

REMARKS

Claims 1 through 14 have been rejected under double patenting. Please cancel those claims. Claim 15 stands rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent No. 6,130,707 (Koller et al.). The Office Action stated, "Note the summing of the numeric differences in Element 430 is equivalent to comparing the sums of the cells of the respective images in Claim 15" Applicant respectfully disagrees.

Comparing sums gives an entirely different result than summing differences. The Koller et al. summing of differences is intended to allow for "global changes" such as a lightning strike (column 8, lines 52-56). Comparing sums as in Claim 15 allows someone who is working within the image range or something, such as a pet or a ceiling fan to move around within the image range without triggering an alert condition, items which would not be considered "global" or "changes." Since the parent of the current application was filed over a year and a half before the issuance of the Koller et al. patent, such a significant difference between comparing sums of differences and comparing sums would definitely remove Koller et al. as a Section 102 reference.

It is believed that Claim 15 is in condition for allowance and an early indication of allowance is earnestly solicited. Since the number of claims and the number of independent claims have been reduced, no additional fee is required. A Request for Extension of Time is enclosed along with a check to cover the fee. Please charge any additional fees which may be required or credit any over payment to Deposit Account No. 20-1123.

Respectfully,



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